

22-21

SPONSOR: Councilman Torres

PETITIONED BY: City of Hammond Department of Redevelopment

ORDINANCE NO 9552

AN ORDINANCE VACATING A 14-FOOT-WIDE ALLEY OF THE 5200 BLOCK OF HOHMAN AVENUE LYING BETWEEN RIMBACH STREET AND MUENICH COURT IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

WHEREAS, City of Hammond Department of Redevelopment is the fee simple owner of the following described real estate, to wit:

RIMBACHS 1ST ADD. L.4 ALL L.5 N. 10 FT. L.6

Commonly known as 5236 Hohman Avenue, Hammond, Indiana;

And

PARCEL 1: UNITS 1-B, II, III, IV AND V WITH AN UNDIVIDED INTEREST IN THE COMMON AREAS EQUIPMENT AND FACILITIES OF THE INDIANA PROFESSIONAL AND COMMERCIAL BUILDING, A CONDOMINIUM PLAN ORGANIZED UNDER THE HORIZONTAL PROPERTY ACT OF THE STATE OF INDIANA AND DULY RECORDED AS DOCUMENT NO. 740465 IN PLAT BOOK 56, PAGE 55, IIN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA

Commonly known as 5244-46 Hohman Avenue, Hammond, Indiana 46320; and,

WHEREAS, Enslin, Lowell E (Und 1/2 int) and William T Enslin (Und 1/4 int) and Gary K Matthews (Und 1/4 Int) T/C is the fee simple owner of the following described real estate, to wit:

Rimbach's 2nd Add Lots 1,2,3,4,5&6

Commonly known as 140-42 Rimbach Street, Hammond, Indiana

WHEREAS, a 14-foot-wide Alley of the 5200 Block of Hohman Avenue lies between the lots of L.4 ALL L.5 N. 10 FT. L.6 of Rimbachs 1<sup>st</sup> Addition

AND

Lots 1,2,3,4,5&6 of Rimbachs 2<sup>nd</sup> Addition;

Lots 1,2,3,4,5&6 of Rimbachs 2<sup>nd</sup> Addition;

which 14-foot-wide alley is more particularly described as follows:

A 14 FOOT WIDE ALLEY ADJOINING THE WESTERLY LINE OF LOT(S) 4, 5, AND THE NORTHERLY 10 FEET OF LOT 6, AS SHOWN IN RIMBACH'S FIRST ADDITION TO THE CITY OF HAMMOND, PLAT BOOK 1 PAGE 84, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

SAID PARCEL CONTAINS 0.035 ACRES, MORE OR LESS.

WHEREAS, City of Hammond Department of Redevelopment has filed a Petition for Vacation of an Alley with the Common Council of the City of Hammond, Lake County, Indiana, requesting vacation of a 14-foot-wide Alley located west of the 5200 Block of Hohman Avenue; and

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana upon investigation and Public Hearing in accordance with applicable law, finds and determines that the proposed vacation will not hinder the growth or orderly development of the City of Hammond, Lake County, Indiana, or the neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the vacation will not make access to the lands of any persons by means of public way difficult to inconvenient; and

WHEREAS, the vacation would not hinder the public's access to a church, school, or other public building or place; and

WHEREAS, the vacation will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, THAT** it is desired and deemed necessary to vacate a 14-foot-wide Alley located at the 5200 Block west of Hohman Avenue the City of Hammond, and more particularly described as follows:

A 14 FOOT WIDE ALLEY ADJOINING THE WESTERLY LINE OF LOT(S) 4, 5, AND THE NORTHERLY 10 FEET OF LOT 6, AS SHOWN IN RIMBACH'S FIRST ADDITION TO THE CITY OF HAMMOND, PLAT BOOK 1 PAGE 84, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

SAID PARCEL CONTAINS 0.035 ACRES, MORE OR LESS.

and, therefore, the aforementioned 14-foot-wide Alley west of the 5200 Block of Hohman Avenue is hereby vacated, subject to easements, if any, for existing water, sewer, gas, telecommunications, and utilities in place and adjoining lot are extended by operation of law to the original boundary lines from which the alley was dedicated from.

**BE IT FURTHER ORDAINED** that the Ordinance herein shall have full force and effect from and after Public Hearing hereon, passage and approval by the Common Council of the City of Hammond, Lake County, Indiana, signed by the President thereof, and the approval and signing by the Mayor. The Clerk shall furnish a copy of this Ordinance to the County Recorder for recording and to the County Auditor.

  
\_\_\_\_\_  
Dave Woerpel, President


Attest:

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the ~~27th~~ of June, 2022.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

The foregoing Ordinance No. 9552, consisting of four (4) pages, including this page was Approved by the Mayor on the 30<sup>th</sup> day of June 2022.

  
\_\_\_\_\_  
Thomas M. McDermott, Jr., Mayor  
City of Hammond, Indiana

PASSED by the Common Council on the 27th day of June, 2022 and Approved by the Mayor on the 30<sup>th</sup> day of June, 2022.

  
\_\_\_\_\_  
Robert J. Golec, City Clerk

STATE OF INDIANA  
CITY OF HAMMOND, LAKE COUNTY, INDIANA

IN THE MATTER OF THE PETITION )  
OF CITY OF HAMMOND )  
FOR VACATION OF AN ALLEY )  
5200 BLOCK WEST OF HOHMAN )

**PETITION FOR VACATION OF AN ALLEY**

TO THE HONORABLE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF  
HAMMOND, LAKE COUNTY, INDIANA:

Come now Petitioner, City of Hammond Department of Redevelopment by their  
attorneys, Westland and Bennett, PC. and file with the Common Council of the City of  
Hammond, Lake County, Indiana this Petition for Vacation of an Alley, and in support  
thereof, show and state as follows:

1. That Petitioner, City of Hammond Department of Redevelopment is a duly  
organized municipal corporation properly authorized to do business in the State of  
Indiana. Petitioner is represented in this proceeding by Westland and Bennett, PC.  
Petitioner represents that it is the fee simple owner of certain real estate located within  
the City of Hammond, Lake County, Indiana, more particularly described as follows:

RIMBACHS 1ST ADD. L.4 ALL L.5 N. 10 FT. L.6

Commonly known as 5236 Hohman Avenue, Hammond, Indiana;

And

PARCEL 1: UNITS 1-B, II, III, IV AND V WITH AN UNDIVIDED INTEREST IN THE  
COMMON AREAS EQUIPMENT AND FACILITIES OF THE INDIANA PROFESSIONAL  
AND COMMERCIAL BUILDING, A CONDOMINIUM PLAN ORGANIZED UNDER THE  
HORIZONTAL PROPERTY ACT OF THE STATE OF INDIANA AND DULY  
RECORDED AS DOCUMENT NO. 740465 IN PLAT BOOK 56, PAGE 55, IIN THE  
OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA

Commonly known as 5244-46 Hohman Avenue, Hammond, Indiana 46320;

2. That Petitioner request the vacation of a 14-foot-wide Alley located between Rimbach Street and the Alley south of Rimbach Street, which portion of Alley is more particularly described as follows:

A 14 FOOT WIDE ALLEY ADJOINING THE WESTERLY LINE OF LOT(S) 4, 5, AND THE NORTHERLY 10 FEET OF LOT 6, AS SHOWN IN RIMBACH'S FIRST ADDITION TO THE CITY OF HAMMOND, PLAT BOOK 1 PAGE 84, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

SAID PARCEL CONTAINS 0.035 ACRES, MORE OR LESS.

3. That Petitioners respectfully request vacation of the 5200 Block Alley west of Hohman Avenue, for the purpose of redevelopment in support of the downtown Hammond master plan, in conformance with all current and applicable laws and requirements, in the City of Hammond, Lake County, Indiana.

4. That the owners of the property adjacent to the proposed site of vacation have been provided with property notice of this Petition and are as follows:

City of Hammond Department of Redevelopment  
5925 Calumet Avenue Rm 315  
Hammond, IN 46320

And

Enslin, Lowell E (Und 1/2 int) and William T Enslin (Und 1/4 int) and Gary K Matthews  
(Und 1/4 Int) T/C  
8585 Broadway Suite 660  
Merrillville, IN 46410

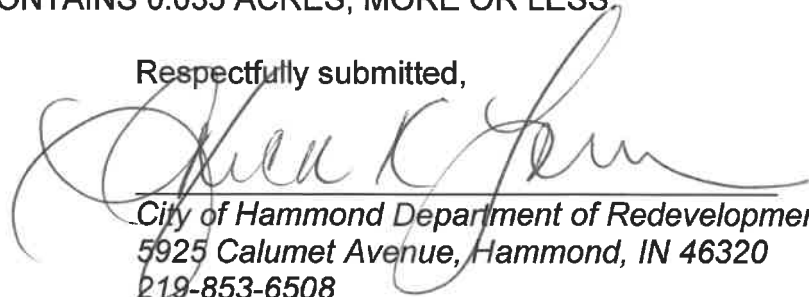
WHEREFORE, the Petitioner, City of Hammond Department of Redevelopment by and through their attorneys, Westland and Bennett, PC., respectfully request the Common Council of the City of Hammond, Lake County, Indiana after due notice and Public Hearing in accordance with the law, to enact an Ordinance pursuant to its authority under Indiana Code § 36-7-3-12, as amended from time to time, vacating the

following 14-foot Alley of 5200 Block west of Hohman Avenue:

A 14 FOOT WIDE ALLEY ADJOINING THE WESTERLY LINE OF LOT(S) 4, 5, AND THE NORTHERLY 10 FEET OF LOT 6, AS SHOWN IN RIMBACH'S FIRST ADDITION TO THE CITY OF HAMMOND, PLAT BOOK 1 PAGE 84, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

SAID PARCEL CONTAINS 0.035 ACRES, MORE OR LESS.

Respectfully submitted,



City of Hammond Department of Redevelopment  
5925 Calumet Avenue, Hammond, IN 46320  
219-853-6508